IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

PATRICK HENRY MURPHY JR.,	§	
	§	
Petitioner,	§	
	§	
	§	
-VS-	§	CIVIL NO. 3:09-cv-01368-L-BN
	§	
	§	*CAPITAL CASE*
	§	
WILLIAM STEPHENS, Director,	§	
Texas Department of Criminal Justice,	Š	
Correctional Institutions Division,	8	
,	8	
Respondent.	§	

PETITIONER PATRICK HENRY MURPHY JR.'S EXPERT DISCLOSURE

TO THE HONORABLE UNITED STATES MAGISTRATE JUDGE DAVID L. HORAN:

Pursuant to the Court's July 18, 2014 Order Setting Hearing on Exception to Procedural Bar and Federal Rule of Civil Procedure 26(a)(2)(B), Petitioner Patrick Henry Murphy Jr. makes this disclosure. A statement from Richard Burr is attached as Exhibit A. Mr. Burr is providing expert testimony related to whether Murphy's trial and state habeas counsel provided him ineffective assistance.

As the Court is aware, the issue of whether Murphy will be granted funds to be evaluated by a mental-health professional specializing in PTSD is currently pending in the Fifth Circuit awaiting Chief Judge Stewart's approval. If Judge Stewart signs the proposed order and authorizes funds be spent on a PTSD expert, counsel will subsequently provide the statement from the PTSD expert required by this Court's order and Rule 26. Because funding has not yet been authorized, counsel is unable to have a PTSD expert prepare a statement at this time.

DATED: September 15, 2014 Respectfully submitted,

/s/ David R. Dow David R. Dow Texas Bar No. 06064900 University of Houston Law Center 100 Law Center Houston, TX 77204-6060 Tel. (713) 743-2171 Fax (713) 743-2131

Counsel for Patrick Henry Murphy Jr.

CERTIFICATE OF SERVICE

On September 15, 2014, I served an electronic copy of this pleading on counsel for the Respondent by filing the foregoing document with the Clerk of the Court for the U.S. District Court, Northern Division of Texas, using the electronic case filing system of the court.

JEREMY GREENWELL
Assistant Attorney General
P.O. Box 12548, Capitol Station
Austin, TX 78711
Jeremy.greenwell@texasattorneygeneral.gov

/s/ David R. Dow

David R. Dow